IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

Writ Petition No.2645 of 1997

DATED 28-11-2006

BETWEEN

M/s. Sri Vasavi Steels Industries Ltd.,
Rajam, Srikakulam District
Represented by EDP Manager
T.Srinivasa Rao.

... Petitioner

And

Andhra Pradesh State Electricity Board
Represented by its Member Secretary,
Vidyuth Soudha, Hyderabad and two others.

.. Respondents

THE HONOURABLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION NO.2645 of 1997

ORDER:

This writ petition has been instituted seeking a writ of Mandamus to declare the action of the respondents in levying and demanding penalty amount of Rs.3,44,284/- as arbitrary, illegal and void and further to direct the respondents to forbear from collecting the said amount.

The respondents have raised the plea that as the Writ Petition No.5401 of 1988 instituted by the same writ petitioner on the previous occasion has since been decided against the writ petitioner, they are entitled to levy and collect a sum of Rs.3,44,284.96 as penalty for

exceeding the quota fixed for the consumption of electricity.

Sri Pramod, learned counsel for the petitioner could persuade his clients to agree to pay the money as demanded in the proceedings dated 3.2.1997 in view of the fact that the writ petition instituted by it on the previous occasion has been decided against it. Learned counsel prays for two months time to pay the demanded amount. But, however, time is granted till 15.1.2007 to pay up the money as demanded in the letter dated 3.2.1997 issued by the Senior Accounts Officer (Operation Circle) of former Andhra Pradesh State Electricity Board, Srikakulam. It is trusted that the respondents will not resort to disconnect the power supply to the writ petitioner only on the count that it has not paid the demanded amount till 15.1.2007.

With the above observation, the writ petition stands disposed of. No costs.

Nooty Ramamohana Rao,J

Dated 28.11.2006

msv